

**BEFORE THE  
STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2013-42

**JAYCO TERMITE SERVICES;  
JOHN SYDNEY MURRAY, JR.  
OWNER AND QUALIFYING MANAGER**  
5638 Lake Murray Blvd., Suite 331  
La Mesa, CA 91942

OAH No. 2013110665

Company Registration Certificate No. PR6011,  
Branch 3

and

**JOHN SYDNEY MURRAY, JR.**  
5638 Lake Murray Blvd., Suite 331  
La Mesa, CA 91942

Operator's License No. OPR 11943, Branch 3

Respondents.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the  
Structural Pest Control Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 20, 2014

It is so ORDERED July 21, 2014

  
\_\_\_\_\_  
FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 ALVARO MEJIA  
Deputy Attorney General  
4 State Bar No. 216956  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-0083  
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013-42

12 **JAYCO TERMITE SERVICES;**  
13 **JOHN SYDNEY MURRAY, JR.**  
14 **OWNER AND QUALIFYING MANAGER**  
5638 Lake Murray Blvd., Suite 331  
La Mesa, CA 91942

OAH No. 2013110665

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

15 Company Registration Certificate No.  
16 PR 6011, Branch 3

17 and

18 **JOHN SYDNEY MURRAY, JR.**  
19 5638 Lake Murray Blvd., Suite 331  
La Mesa, CA 91942

20 Operator's License No. OPR 11943, Branch 3

21  
22 Respondents.

23  
24 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
25 entitled proceedings that the following matters are true:

26 ///

27 ///

28 ///

1 **PARTIES**

2 1. Susan Saylor (Complainant) is the Registrar/Executive Officer of the Structural Pest  
3 Control Board. She brought this action solely in her official capacity and is represented in this  
4 matter by Kamala D. Harris, Attorney General of the State of California, by Alvaro Mejia,  
5 Deputy Attorney General.

6 **Company Registration Certificate No. PR 6011**

7 2. On or about March 4, 2010, the Structural Pest Control Board issued Company  
8 Registration Certificate Number PR 6011, in Branch 3, to Jayco Termite Services, with John  
9 Sydney Murray, Jr., as Owner and Qualifying Manager ("Respondent Jayco"). The license was  
10 in full force and effect at all times relevant to the charges brought herein.

11 **Operator's License No. OPR 11943**

12 3. On November 30, 2009, the Board issued Operator's License No. OPR 11943, in  
13 Branch 3, to John Sydney Murray, Jr. ("Respondent Murray").

14 4. On March 4, 2010, Operator's License No. OPR 11943 became the Owner and  
15 Qualifying Manager of Jayco Termite Services.

16 5. The license was in full force and effect at all times relevant to the charges brought  
17 herein and will expire on June 30, 2015, unless renewed.

18 6. Respondents Jayco and Murray are represented in this proceeding by the Edward  
19 Medina, Esq., Medina Law Group, 4025 Camino Del Rio S., Suite 300, San Diego, CA 92108.

20 **JURISDICTION**

21 7. Accusation No. 2013-42 was filed before the Structural Pest Control Board (Board),  
22 Department of Consumer Affairs, and is currently pending against Respondent Jayco and  
23 Respondent Murray (Sometimes referred to collectively as "Respondent"). The Accusation and  
24 all other statutorily required documents were properly served on Respondent on April 5, 2013.  
25 Respondent timely filed his Notice of Defense contesting the Accusation.

26 8. A copy of Accusation No. 2013-42 is attached as exhibit A and incorporated herein  
27 by reference.

28 ///

1

2

6

7

## 8

9

ic

## 11

12

13

14

14

1

2

12

15

2.

## 2.

2

1 IT IS HEREBY FURTHER ORDERED that Operator's License No. OPR 11943 issued to  
2 Respondent John Sydney Murray, Jr. is revoked. However, the revocation is stayed and  
3 Respondent Murray is placed on probation for three (3) years on the following terms and  
4 conditions.

5 **Actual Suspension.** Respondent's Company Registration Certificate No. PR 6011 and  
6 Operator's License No. OPR 11943 are subject to suspension, per paragraph 15, below.

7 1. **Obey All Laws.** Respondent shall obey all Federal, State, and local laws, along with  
8 all laws and rules relating to the practice of structural pest control.

9 2. **Quarterly Reports.** Respondent shall file quarterly reports with the Board during  
10 the period of probation.

11 3. **Tolling of Probation.** Should Respondent leave California to reside outside this  
12 state, Respondent must notify the Board in writing of the dates of departure and return. Periods  
13 of residency or practice outside the state shall not apply to reduction of the probationary period.

14 4. **Notice to Employers.** Respondent shall notify all present and prospective employers  
15 of the decision in Accusation Case No. 2013-42 and the terms, conditions and restriction imposed  
16 on Respondent by said decision.

17 Within 30 days of the effective date of this decision, and within 15 days of Respondent  
18 undertaking new employment, Respondent shall cause his/her employer to report to the Board in  
19 writing acknowledging the employer has read the decision in Accusation Case No. 2013-42.

20 5. **Notice to Employees.** Respondent shall, upon or before the effective date of this  
21 decision, post or circulate a notice to all employees involved in structural pest control operations  
22 which accurately recite the terms and conditions of probation. Respondent shall be responsible  
23 for said notice being immediately available to said employees. "Employees" as used in this  
24 provision includes all full-time, part-time, temporary and relief employees and independent  
25 contractors employed or hired at any time during probation.

26 ///

27 ///

28 ///

1           **6. Posted Notice of Suspension.** In the event that Respondent Jayco's license is  
2 suspended, Respondent's structural pest control company shall prominently post a suspension  
3 notice provided by the Board of the Board's order of suspension at its principal office and each of  
4 its branch offices in a place conspicuous and readable to the public. Said notice shall remain so  
5 posted during the entire period of actual suspension.

6           **7. Completion of Probation.** Upon successful completion of probation, Respondent's  
7 license/certificate will be fully restored.

8           **8. Violation of Probation.** Should Respondent violate probation in any respect, the  
9 Board, after giving Respondent notice and an opportunity to be heard, may revoke probation and  
10 carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against  
11 Respondent during probation, the Board shall have continuing jurisdiction until the matter is  
12 final, and the period of probation shall be extended until the matter is final.

13           **9. Correspondence Course - Branch 3.** Respondent John Sydney Murray, Jr. shall  
14 complete with a final grade of C Minus (C-) or better within eighteen (18) months of the effective  
15 date of this decision: 1). four (4) hours of Board approved Rules and Regulations course; and  
16 2). four (4) hours of Board approved Branch 3 technical course.

17           **10. Random Inspections.** Respondent shall reimburse the Board for one (1) random  
18 inspection per quarter by Board specialists during the period of probation not to exceed \$125 per  
19 inspection.

20           **11. Prohibited from Serving as Officer, Director, Associate, Partner or Qualifying**  
21 **Manager.** Respondent Murray is prohibited from serving as an officer, director, associate,  
22 partner, qualifying manager or branch office manager of any registered company other than Jayco  
23 Termite Services during the period that discipline is imposed on Company Registration  
24 Certificate No. PR6011 and Operator License No. OPR 11943.

25           **12. No Interest In Any Registered Company.** Respondent Murray shall not have any  
26 legal or beneficial interest in any company currently or hereinafter registered by the Board other  
27 than Jayco Termite Services.

28       ///

1       13.   **Cost Recovery.** Pursuant to Section 125.3 of the California Business and Professions  
2 Code, Respondents Murray and Jayco shall pay to the Board investigation and enforcement costs  
3 in the amount of \$6,000.00 according to a payment schedule that has been approved by the Board,  
4 with payments to be completed no later than three (3) months prior to the end of the probation  
5 term. Failure to make a timely payment according to the payment schedule, and/or failure to  
6 complete payment of cost recovery, shall constitute a violation of probation, which may subject  
7 Respondents' licenses to outright revocation. Probation shall not be terminated until all costs are  
8 paid in full.

9       14.   **WDO Reports.** Respondent shall file any unreported Wood Destroying Pests and  
10 Organisms (WDO) activities, including, but not limited to, inspections reports, limited reports,  
11 corrected reports, and work completed reports, no later than thirty (30) days from the effective  
12 date of the decision.

13       15.   **Subject Property Brought Into Compliance.** Respondents Murray and Jayco  
14 Services shall bring the subject property, located at 675 Marin Road, Big Bear Lake, California  
15 92315, into compliance, as more fully described in the Board's Report of Findings, case no.  
16 12-378-9-164-12 (a copy of the aforementioned Board's Report of Findings is attached as Exhibit  
17 B and incorporated herein by reference), within sixty (60) days of the effective date of the  
18 decision. Respondent, or another licensed company, shall commence work on bringing the  
19 property into compliance within thirty (30) days of Respondent's signature date on the present  
20 stipulated agreement. Respondent's failure to bring the subject property into compliance within  
21 the period stated above shall subject Respondent Jayco's Company Registration and Respondent  
22 Murray's Operator License to suspension, at the sole discretion of the Registrar, until the subject  
23 property is brought into compliance. Separately, Respondent's failure to bring the subject  
24 property into compliance within the period stated above shall constitute a violation of probation.  
25 Any work performed on the subject property shall be subject to the following terms and  
26 conditions:

27    ///

28    ///



1 a). Respondent shall inspect the subject property and submit a Wood Destroying  
2 Pests and Organisms Inspection Report addressing, but not limited to, the items described in the  
3 Board's Report of Findings described above, to the Board. Respondent shall send a copy of the  
4 report to the attention of the assigned Specialist at the Structural Pest Control Board, 2005  
5 Evergreen Street, Suite 1500, Sacramento, CA 95815-3831, as well as the complainant/property  
6 owner.

7 b). Work performed to bring the subject property into compliance shall be subject to  
8 inspection and approval by a Board specialist. Respondent shall keep the assigned Board  
9 specialist informed as to work being performed at the subject property.

10 c). Respondent shall submit a Standard Notice of Work Completed and Not  
11 Completed to the Board, at the address stated above, as well as the complainant/property owner.

12 d). All repairs must comply with local building code regulations, including obtaining  
13 building permits where required, and meet accepted trade standards for good and workmanlike  
14 construction.

15 e). All repairs, whether performed by Respondent or a third party, must be performed  
16 by a company that is properly licensed, bonded, and insured, in accordance with the Board's rules  
17 and regulations.

18 f). Any request for an extension of time to bring the subject property into compliance  
19 shall be at the sole discretion of the Registrar, or its authorized designee. Any request for an  
20 extension of time to comply with this term shall be submitted at least twenty (20) days prior to the  
21 deadline date.

22 ///

23 ///

24 ///


25 ///

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
84

DATED: 5/14/14   
JOHN SYDNEY MURRAY, JR.;  
JAYCO TERMITE SERVICES;  
OWNER AND QUALIFYING MANAGER  
Respondent

DATED: 5/6/14 2  
Edward Medina, Esq.  
Attorney for Respondent

///  
///  
///  
///  
///  
///  
///  
///  
///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46
- 47
- 48
- 49
- 50
- 51
- 52
- 53
- 54
- 55
- 56
- 57
- 58
- 59
- 60
- 61
- 62
- 63
- 64
- 65
- 66
- 67
- 68
- 69
- 70
- 71
- 72
- 73
- 74
- 75
- 76
- 77
- 78
- 79
- 80
- 81
- 82
- 83
- 84
- 85
- 86
- 87
- 88
- 89
- 90
- 91
- 92
- 93
- 94
- 95
- 96
- 97
- 98
- 99
- 100
- 101
- 102
- 103
- 104
- 105
- 106
- 107
- 108
- 109
- 110
- 111
- 112
- 113
- 114
- 115
- 116
- 117
- 118
- 119
- 120
- 121
- 122
- 123
- 124
- 125
- 126
- 127
- 128
- 129
- 130
- 131
- 132
- 133
- 134
- 135
- 136
- 137
- 138
- 139
- 140
- 141
- 142
- 143
- 144
- 145
- 146
- 147
- 148
- 149
- 150
- 151
- 152
- 153
- 154
- 155
- 156
- 157
- 158
- 159
- 160
- 161
- 162
- 163
- 164
- 165
- 166
- 167
- 168
- 169
- 170
- 171
- 172
- 173
- 174
- 175
- 176
- 177
- 178
- 179
- 180
- 181
- 182
- 183
- 184
- 185
- 186
- 187
- 188
- 189
- 190
- 191
- 192
- 193
- 194
- 195
- 196
- 197
- 198
- 199
- 200
- 201
- 202
- 203
- 204
- 205
- 206
- 207
- 208
- 209
- 210
- 211
- 212
- 213
- 214
- 215
- 216
- 217
- 218
- 219
- 220
- 221
- 222
- 223
- 224
- 225
- 226
- 227
- 228
- 229
- 230
- 231
- 232
- 233
- 234
- 235
- 236
- 237
- 238
- 239
- 240
- 241
- 242
- 243
- 244
- 245
- 246
- 247
- 248
- 249
- 250
- 251
- 252
- 253
- 254
- 255
- 256
- 257
- 258
- 259
- 260
- 261
- 262
- 263
- 264
- 265
- 266
- 267
- 268
- 269
- 270
- 271
- 272
- 273
- 274
- 275
- 276
- 277
- 278
- 279
- 280
- 281
- 282
- 283
- 284
- 285
- 286
- 287
- 288
- 289
- 290
- 291
- 292
- 293
- 294
- 295
- 296
- 297
- 298
- 299
- 300
- 301
- 302
- 303
- 304
- 305
- 306
- 307
- 308
- 309
- 310
- 311
- 312
- 313
- 314
- 315
- 316
- 317
- 318
- 319
- 320
- 321
- 322
- 323
- 324
- 325
- 326
- 327
- 328
- 329
- 330
- 331
- 332
- 333
- 334
- 335
- 336
- 337
- 338
- 339
- 340
- 341
- 342
- 343
- 344
- 345
- 346
- 347
- 348
- 349
- 350
- 351
- 352
- 353
- 354
- 355
- 356
- 357
- 358
- 359
- 360
- 361
- 362
- 363
- 364
- 365
- 366
- 367
- 368
- 369
- 370
- 371
- 372
- 373
- 374
- 375
- 376
- 377
- 378
- 379
- 380
- 381
- 382
- 383
- 384
- 385
- 386
- 387
- 388
- 389
- 390
- 391
- 392
- 393
- 394
- 395
- 396
- 397
- 398
- 399
- 400
- 401
- 402
- 403
- 404
- 405
- 406
- 407
- 408
- 409
- 410
- 411
- 412
- 413
- 414
- 415
- 416
- 417
- 418
- 419
- 420
- 421
- 422
- 423
- 424
- 425
- 426
- 427
- 428
- 429
- 430
- 431
- 432
- 433
- 434
- 435
- 436
- 437
- 438
- 439
- 440
- 441
- 442
- 443
- 444
- 445
- 446
- 447
- 448
- 449
- 450
- 451
- 452
- 453
- 454
- 455
- 456
- 457
- 458
- 459
- 460
- 461
- 462
- 463
- 464
- 465
- 466
- 467
- 468
- 469
- 470
- 471
- 472
- 473
- 474
- 475
- 476
- 477
- 478
- 479
- 480
- 481
- 482
- 483
- 484
- 485
- 486
- 487
- 488
- 489
- 490
- 491
- 492
- 493
- 494
- 495
- 496
- 497
- 498
- 499
- 500
- 501
- 502
- 503
- 504
- 505
- 506
- 507
- 508
- 509
- 510
- 511
- 512
- 513
- 514
- 515
- 516
- 517
- 518
- 519
- 520
- 521
- 522
- 523
- 524
- 

Dated:

KAMALA D. HARRIS  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General

ALVARO MEJIA  
Deputy Attorney General  
*Attorneys for Complainant*